IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION F NO.1865 OF 2005
IN
FIRST APPEAL NO.1376 OF 2004

1. Smt. Lilly Robert D'Souze
and ors. .. Applicants
Vs
1. M/s S.N.Thakkar Associates
and anr. .. Respondents
Mr M.B.Kotak, for the applicants.
Mr S.M.Vidyarthi, for respondent no.2

CORAM : S.B.MHASE &
D.B.BHOSALE, JJ.

DATE : APRIL 25, 2005.

P.C.

1. Heard both sides.

2. This is an application for withdrawal of the amount deposited by the Insurance Company. Applicant nos 1 to 4 and 6 are the claimants. What we find appropriate is that out of the deposited amount, fifty percent amount shall be released in favour of respondent nos 1 to 4 and 6. The trial Court is directed that the remaining fifty percent amount shall be deposited in a nationalised Bank till the final disposal of this appeal. Out of the amount which is being released in favour of the original claimant nos 1 to 4 and 6, 1/4th amount be paid to the parents of the deceased; 1/4th amount shall be

paid to the wife and 2/4, i.e. 1/2 amount shall be deposited in the name of minor children, Master Rodney R D'Souza and Miss Relisha R D'Souza in a nationalised Bank and/or Post Office . The name of mother of both children shall be shown as guardian in the fixed deposit receipt.

3. Liberty to apply for liquidating the fixed deposit after attainment of majority. The civil application is disposed of.

(D.B.BHOSALE, J.) **(S.B.MHASE, J.)**

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